

THE CORPORATION OF THE TOWN OF SHELBURNE

BY-LAW NO. 16-2021

BEING A BY-LAW TO AMEND BY-LAW 38-2007, AS AMENDED.

**WHEREAS** an Official Plan has been approved for the Town of Shelburne.

**AND WHEREAS** authority is granted under Section 34 of the Planning Act, R.S.O. 1990, C.P.13 and amendments thereto, to enact this By-law.

**NOW THEREFORE** the Council of the Corporation of the Town of Shelburne enacts as follows:

1. That Schedule “A” of By-law 38-2007, as amended, be further amended by rezoning the land known municipally as 105 Mill Street and described legally as All of Lot 5, Plan 89 in the Town of Shelburne, County of Dufferin, from Residential Type Two (R2) Zone to Residential Type Two Exception Six (R2-6) Zone as shown on Schedule “A1” to this By-law.
2. That subsection 4.2.3 of By-law 38-2007, as amended, be further amended by inserting one exception zone after subsection 4.2.3.5, as follows:  
  
“4.2.3.6 Residential Type Two Exception Six (R2-6) Zone  
  
Notwithstanding the permitted uses, regulations and definitions in subsections 3.4.1 (ii), 3.4.2, 3.15.6 (ii), 4.2.1, 4.2.2, 5.41 and 5.68, on the lands zoned R2-6 the following special provisions shall apply:
  - i) The permitted uses shall include a converted dwelling with a maximum of three (3) dwelling units, subject to all other applicable regulations of this By-law except that:
    - a) A maximum of two (2) dwelling unit(s) shall be permitted in the lower level of the existing dwelling if all other requirements of subsection 3.4.1 (ii) are met;
    - b) Three (3) required parking spaces shall be permitted within a driveway in the required front yard.”
3. That except as amended by this By-law, the subject lands as shown on Schedule “A1” to this By-law shall be subject to all other applicable regulations of By-law 38-2007, as amended.
4. Schedule “A1” attached hereto forms part of this By-law.
5. This By-law shall take effect from its date of passage by Council and shall come into force either upon approval by the Local Planning Appeal Tribunal or upon compliance with Section 34 of the Planning Act, R.S.O. 1990, C.P. 13.

**BY-LAW READ A FIRST AND SECOND TIME THIS 10<sup>th</sup> DAY OF MAY, 2021**

**BY-LAW READ A THIRD TIME AND ENACTED THIS 10<sup>th</sup> DAY OF MAY, 2021.**

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**MAYOR**

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**CLERK**

### Zone change from R2 to R2-6

## **EXPLANATORY NOTE**

The purpose and effect of this amendment to Zoning By-law 38-2007 is to change the zoning of the property known municipally as 105 Mill Street and described legally as All of Lot 5, Plan 89 in the Town of Shelburne, County of Dufferin, from Residential Type Two (R2) Zone to Residential Type Two Exception Six (R2-6) Zone as shown on Schedule "A1" to this By-law.

The re-zoning of the land to R2-6 applies appropriate zone standards to permit the proposed conversion of the existing dwelling to a converted dwelling with 3 units. A minimum of 3 parking spaces are required for the proposed converted dwelling (1 space per unit) and will be located in a driveway in the required front yard. Notwithstanding the definition of a "cellar", up to two (2) of the three (3) dwelling units in the proposed converted dwelling may be located in the lower level of the dwelling if the other requirements for converted dwellings and dwelling units are met.